

**Amendments to the Claims**

This listing of claims will replace all prior versions, and listings, of claims in the application:

**Listing of Claims:**

1. (currently amended) Device for the non-contact measurement of the position of the teeth of a workpiece with pre-cut teeth, which is set up for fine machining on the work spindle of a gear finishing machine, ~~by means of said device comprising:~~ a retractable measuring probe, which is moveable in a fixed swivel plane between only a first fixed measuring position and a second fixed retracted position; and a parallelogram linkage including wherein the measuring probe is arranged on a holder carrying said probe ~~which constitutes a member of a parallelogram linkage,~~ the parallelogram linkage possessing a base member opposite the holder for the rigid connection to a machine bed or a work spindle housing.
2. (original) Device according to claim 1, wherein the swivel plane of the parallelogram linkage is parallel to the axis of rotation of the workpiece or coincides with the same.
3. (original) Device according to claim 1 or 2, wherein the holder is swivellable through a fixed given angle from stop to stop.
4. (currently amended) Device according to ~~any of the claims~~ claim 1 to 3, wherein a rotary drive is provided for the swivelling of the holder, operated hydraulically, pneumatically or by electric motor.

5. (currently amended) Device according to ~~any of the~~  
~~claims~~claim 1 to 4, wherein the rotary joints of the  
parallelogram linkage consist of non-clearance pre-loaded  
roller bearings.
6. (currently amended) Device according to ~~any of the~~  
~~claims~~claim 1 to 5, wherein the parallelogram linkage  
possesses two rotary joints for each swivel axis, the  
distance between which corresponds at least with the length  
of the shorter parallelogram members.
7. (currently amended) Device according to ~~any of the~~  
~~claims~~claim 1 to 6, wherein the measuring probe is arranged  
for displacement and clamping parallel to its axis.
8. (currently amended) Device according to ~~any of the~~  
~~claims~~claim 1 to 7, wherein the measuring probe is arranged  
in a holder column for displacement and clamping at right  
angles to its axis.
9. (original) Device according to claim 8, wherein the holder  
column is arranged for displacement and clamping in the  
holder at right angles to the axis of the measuring probe.
10. (currently amended) Device according to ~~any of the~~ ~~claims~~  
~~1 to 9~~, wherein the holder is swivel-connected to the base  
member via members and rotary joints.
11. (new) Device for the non-contact measurement of the  
position of the teeth of a workpiece with pre-cut teeth,  
which is set up for fine machining on the work spindle of a

gear finishing machine, said device comprising: a retractable measuring probe, which is moveable in a fixed swivel plane between a first fixed measuring position and a second fixed retracted position; and a double parallelogram linkage including a holder carrying said probe, wherein said double parallelogram linkage possesses a base member opposite the holder for the rigid connection to a machine bed or a work spindle housing.

- 12.(new) Device according to claim 11, wherein the swivel plane of the parallelogram linkage is parallel to the axis of rotation of the workpiece or coincides with the same.
- 13.(new) Device according to claim 11, wherein the holder is swivellable through a fixed given angle from stop to stop.
- 14.(new) Device according to claim 11, wherein a rotary drive is provided for the swivelling of the holder, operated hydraulically, pneumatically or by electric motor.
- 15.(new) Device according to claim 11, wherein the rotary joints of the parallelogram linkage consist of non-clearance pre-loaded roller bearings.
- 16.(new) Device according to claim 11, wherein the parallelogram linkage possesses two rotary joints for each swivel axis, the distance between which corresponds at least with the length of the shorter parallelogram members.

- 17.(new) Device according to claim 11, wherein the measuring probe is arranged for displacement and clamping parallel to its axis.
- 18.(new) Device according to claim 11, wherein the measuring probe is arranged in a holder column for displacement and clamping at right angles to its axis.
- 19.(new) Device according to claim 18, wherein the holder column is arranged for displacement and clamping in the holder at right angles to the axis of the measuring probe.
20. (new) Device according to claims 11, wherein the holder is swivel-connected to the base member via members and rotary joints.
21. (new) Device according to claim 1 wherein said probe performs measurements only when in said first fixed position.
22. (new) Device according to claim 11 wherein said probe performs measurements only when in said first fixed position.
23. (new) Device according to claim 1 wherein said parallelogram linkage is connected to a stationary structure so as to be movable only in the fixed swivel plane.
24. (new) Device according to claim 11 wherein said double parallelogram linkage is connected to a stationary structure so as to be movable only in the fixed swivel plane.